

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 72-304, this court has conducted a de novo review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed July 7, 2005 are adopted in full;
 2. Movant's June 3, 2005 motion pursuant to § 2255 to vacate, set aside or correct sentence is summarily dismissed;
 3. Movant's July 19, 2005 petition for summary judgment and immediate release is denied; and
 4. The Clerk of the Court is directed to close the companion civil case No. CIV

DATED: July 29, 2005

/s/ Frank C. Damrell Jr.
FRANK C. DAMRELL JR.
United States District Judge